

Message Text

LIMITED OFFICIAL USE

PAGE 01 THE HA 03749 301559Z

44

ACTION L-03

INFO OCT-01 ARA-16 EUR-25 ISO-00 SCA-01 JUSE-00 CIAE-00

INR-11 NSAE-00 RSC-01 DEAE-00 SNM-02 TRSE-00 DRC-01

/061 W

----- 039752

R 301527Z JUL 74

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC 4048

INFO AMEMBASSY BONN

AMCONSUL CURACAO

AMCONSUL PARAMARIBO

LIMITED OFFICIAL USE THE HAGUE 3749

BONN FOR PETER PFUND

E.O. 11652: N/A

TAGS: PFOR, NL

SUBJECT: EXTRADITION TREATY

REF: THE HAGUE 3597 (NOTAL)

1. SUMMARY: CHARGE CALLED ON STATE SECRETARY FOR JUSTICE JULY 29 TO DISCUSS STATUS OF 1972 DRAFT EXTRADITION TREATY, WHICH JUSTICE HAS BEEN CONSIDERING FOR MORE THAN ONE YEAR. JUSTICE OFFICIAL SAID THAT SURINAM NOT INTERESTED, AT LEAST NOT BEFORE INDEPENDENCE NEXT YEAR, AND THAT IT ALSO UNLIKELY THAT GON WILL BE ABLE CONCLUDE NEW TREATY FOR MANY MONTHS, POSSIBLY YEARS. STATE SECRETARY PROPOSED THAT OLD CONVENTION BE REVISED TO INCLUDE NARCOTIC OFFENSES. EMBASSY RECOMMENDS FAVORABLE CONSIDERATION OF PROPOSAL. END SUMMARY.

2. AT MY REQUEST, I CALLED ON STATE SECRETARY FOR JUSTICE, GLASTRA VAN LOON, JULY 29 TO DISCUSS STATUS OF DRAFT US-NETHERLANDS EXTRADITION CONVENTION. STATE SECRETARY WAS ACCOMPANIED BY J.R.H. KUYPER, OF HIS MINISTRY, A MEMBER OF DUTCH DELEGATION THAT

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 THE HA 03749 301559Z

NEGOTIATED DRAFT CONVENTION WITH US IN OCTOBER 1972.

3. VAN LOON BEGAN CONVERSATION BY STATING THAT SURINAM NOT WILLING GO ALONG WITH DRAFT CONVENTION. GOS HAS PROBLEMS WITH BASIC DRAFT AND ALSO WITH USG COMMENTS ON DRAFT, BOTH OF WHICH, ACCORDING TO VAN LOON WOULD NECESSITATE THAT SURINAM REVISE LEGISLATION. FOR THIS REASON SURINAM NOT INTERESTED AT THIS TIME.

4. USG COMMENTS ON DRAFT CONVENTION ALSO GIVE GON CONSIDERABLE TROUBLE. STATE SECRETARY SPECIFICALLY MENTIONED FOLLOWING: (A) US DESIRE ELIMINATE ARTICLE 9 WHICH WOULD GIVE REQUESTED STATE AUTHORITY TO DENY EXTRADITION ON HUMANITARIAN GROUNDS. GON WOULD, IN SOME CASES, VIEW EXTRADITION ITSELF, NOT JUST PROSECUTION OR SENTENCING OF PERSON SOUGHT, AS HARDSHIP WHICH OUGHT TO BE GIVEN FULL CONSIDERATION; (B) US PROBLEMS WITH ARTICLE 5(2) RELATING TO "FOREIGNERS INTEGRATED INTO NETHERLANDS." KUYPER SAID THAT GON WOULD FIND IT DIFFICULT EXTRADITE TO US PERSONS FULLY INTEGRATED INTO "DUTCH SOVEREIGNTY" AND "TREATED AS NETHERLANDER" SOLELY BECAUSE HE HAPPENED NOT BE DUTCH NATIONAL; (C) CERTAIN OTHER UNENUMERATED PROVISIONS WHICH CONFLICT WITH 1967 DUTCH EXTRADITION LAW.

5. BECAUSE OF GREAT DIFFICULTIES WHICH JUSTICE MINISTRY FORESEES IN ATTEMPTING GO FORWARD WITH DRAFT CONVENTION, (A PROCESS THAT VAN LOON THOUGHT WOULD TAKE MANY MONTHS AND POSSIBLY SEVERAL YEARS) VAN LOON PROPOSED THAT USG CONSIDER POSSIBILITY REVISING 1887 EXTRADITION CONVENTION. STATE SEC SAID HE UNDERSTOOD BASIC US CONCERN WAS TO PROVIDE MECHANISM FOR EXTRADITING PERSONS CHARGED WITH NARCOTICS-RELATED CRIMES. HE THOUGHT THIS COULD BE ACCOMPLISHED BY SIMPLE EXCHANGE OF NOTES ADDING NARCOTICS AND "SIMILAR CRIMES" TO LIST OF EXTRADITABLE OFFENSES IN ARTICLE II OF 1887 CONVENTION.

6. I POINTED OUT THAT WHILE WE WERE INDEED INTERESTED IN ENSURING THAT NARCOTICS OFFENDERS NOT ESCAPE EXTRADITION, USG WAS ALSO INTERESTED IN OTHER "MODERN" CRIMES, AND HAD EMBARKED ON PROGRAM TO NEGOTIATE ENTIRELY NEW TREATIES WITH MANY COUNTRIES. VAN LOON CLEARLY OF OPINION THAT NEW TREATY WOULD TAKE A LONG TIME AND WOULD BE EXTREMELY DIFFICULT MANEUVER THROUGH THIS PARLIAMENT. WHILE ADDITION OF OFFENSES TO OLD TREATY WOULD ALSO NEED BE SUBMITTED FOR RATIFICATION, HE THOUGHT THIS COULD BE ACHIEVED, LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 THE HA 03749 301559Z

EVEN GIVEN SENSITIVITY OF DRUG ISSUE IN NETHERLANDS.

7. GON STILL PLANS FORMAL COMMENT ON USG COMMENTS AND DRAFT TREATY. STATE SEC SAID EMBASSY COULD EXPECT COMMENTS BEFORE END OF YEAR.

8. EMBASSY RECOMMENDS THAT DEPT GIVE SERIOUS CONSIDERATION TO VAN LOON PROPOSAL. STATE SECRETARY COULD NOT GIVE ABSOLUTE

ASSURANCE THAT REVISION OLD TREATY WOULD SUCCEED, BUT HE CLEARLY BELIEVES THIS BEST COURSE TO FOLLOW AS REGARDS NETHERLANDS. HE THOUGH SURINAM AND NA MIGHT GO ALONG WITH SUCH A COURSE OF ACTION AS WELL. AT THIS STAGE IT SEEMS TO EMBASSY TO BE QUESTION OF ACHIEVING THE POSSIBLE, AND WORKING OVER LONGER TERM ON NEW TREATY. AFTER 1975, A THEN INDEPENDENT GOVERNMENT OF SURINAM MIGHT BE MORE AMENABLE TO NEGOTIATING NEW TREATY THAN UNDER PRESENT CIRCUMSTANCES.

9. VARIATION OF THE ABOVE WOULD BE FOR AMB GOULD, ON INSTRUCTIONS, TO EMPHASIZE TO MINISTER OF JUSTICE VAN AGT HIGH-LEVEL US INTEREST IN PROCEEDING EXPEDITIOUSLY WITH NEGOTIATION OF A NEW TREATY, AT THE SAME TIME ACCEPTING DUTCH SUGGESTION TO INCLUDE NARCOTICS AND OTHER OFFENSES BY AMENDING EXISTING TREATY AS A STOP GAP.
TANGUY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, DRUG TRAFFIC, DIPLOMATIC DISCUSSIONS, EXTRADITION AGREEMENTS, AMENDMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974THEHA03749
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740207-0023
From: THE HAGUE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974074/aaaaadob.tel
Line Count: 130
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: THE HAGUE 3597 (NOTAL)
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 08 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 MAY 2002 by boyleja>; APPROVED <24 FEB 2003 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EXTRADITION TREATY
TAGS: PFOR, SNAR, NL, (VAN LOON, GLASTRA)
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005